

RECEIVED
CENTRAL FAX CENTER

NOV 22 2006

WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP*Intellectual Property Law*
Patents • Trademarks • CopyrightsTen Post Office Square
Boston, Massachusetts 02109
Tel. 617.542.2290 - Fax. 617.451.0313
www.wsglip.com**FACSIMILE COVER SHEET**

DATE: November 22, 2006

TO: Examiner Tan N. Tran
TC Art Unit: 2826

Fax No.: (571) 273 8300

FROM: Charles L. Gagnebin III

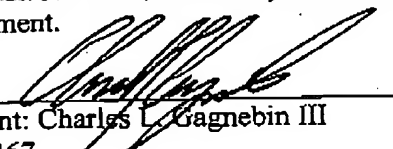
No. of pages transmitted
(including this page): 4

Our File: BU-097XX

Time:

Your Ref:

Sent by: Debbi

Application No. 10/506,654
Filed Date: September 3, 2004
Confirmation No.: 4807A confirmation copy of this transmission will not be mailed unless the following is checked: ☐
MESSAGEPLEASE DELIVER DIRECTLY TO:
EXAMINER TAN N. TRAN, TEL. (571) 272 1923
TC ART UNIT NO: 2826**FOR ENTRY**Enclosed for filing please find a: Transmittal Sheet, Response to Restriction
Requirement; Request for 1 Month Extension
Of TimeThe Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional
filing fees associated with this communication or credit any overpayment.
Attorney for Applicant: Charles L. Gagnebin III
Registration No. 25,467

344726.1

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY
FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS
NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT
FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE
INTENDED RECIPIENT(S). THANK YOU.

Application No.: 10/506,654
 Filed: September 3, 2004
 TC Art Unit: 2826
 Confirmation No.: 4897

RECEIVED
CENTRAL FAX CENTER

NOV 22 2006

Rcv 9/06

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
 Ten Post Office Square
 Boston, Massachusetts 02109
 Telephone: (617) 542-2290
 Telecopier: (617) 451-0313

Date: November 22, 2006

Via Facsimile

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Attorney

Docket No.: BU-097XX

Sir:

In re application of: **Mark N. Horenstein**

**Entitled: METHOD FOR LINEARIZING DEFLATION OF A MEMS DEVICE USING
 BINARY ELECTRODES AND VOLTAGE MODULATION**

Transmitted herewith is a response to the restriction requirement in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$) per §1.17(e).
☐ Enter the unentered amendment previously filed on per §1.116.

☒ **Small Entity Status is asserted.**

☒ A Petition for Extension of Time for 1 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$60.00) per §1.17.

☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

☐ Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	2 - 3	= 0	x \$200.00 =	0
Total	29 - 31	= 0	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$360.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$) for the cost of same.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Tan N. Tran, TC Art Unit 2826, Fax No. (571) 273 8300, on 11-02-06.


 Attorney of Record: Charles L. Gagnebin III

RECEIVED
CENTRAL FAX CENTER

NOV 22 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Mark N. Horenstein
Application No. : 10/506,654
Filed : September 3, 2004
Confirmation No. : 4807
For : METHOD FOR LINEARIZING DEFLECTION OF A
MEMS DEVICE USING BINARY ELECTRODES AND
VOLTAGE MODULATION
Examiner : Tan N. Tran
Attorney's Docket : BU-097XX

TC Art Unit: 2826

I hereby certify that this correspondence is being sent via
facsimile to Examiner Tan N. Tran, TC Art Unit 2826, No. (571) 273
8300, on 11-28-06.

By: 

Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

RESPONSE TO RESTRICTION REQUIREMENT

Via Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 25, 2006,
Applicant hereby elects Group A, Claims 1-13 and 16-31; Species A,
Figs. 1A, 1B, 2, 3A and 3B for continued prosecution at this time.

This election is with traverse as not requiring extra effort
on the part of the Examiner to prosecute all claims.

WEINGARTEN, SCHURGIN,
GAGNEBIN & LESOVICI LLP
TEL. (617) 542-2290
FAX (617) 451-0313

PAGE 3/4 * RCVD AT 11/22/2006 12:39:54 PM [Eastern Standard Time] * SVR:USPTO-EFAX-2/5 * DNIS:2738300 * CSID:6176950892 * DURATION (mm:ss):01:20

11/27/2006 EFLDRES 00000103 230804 10506654

01 FC:2051

65.00 DA

11/27/2006 EFLDRES 00000135 230804 10506654

01 FC:2251 60.00 DA

Application No. 10/506,654

Filed: September 3, 2004

TC Art Unit: 2826

Confirmation No. 4807

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter which would expedite allowance of the present application.

Respectfully submitted,

MARK N. HORENSTEIN

By: 

Charles L. Gagnebin III

Registration No. 25,467

Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,

GAGNEBIN & LEBOVICI LLP

Ten Post Office Square

Boston, MA 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

CLG/dkh/344710.1